

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

GLOBAL CONTROL SYSTEMS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:14-CV-657-DGK
	)	
DEREK LUEBBERT, et al.,	)	
	)	
Defendants.	)	

**ORDER REGARDING THIRD DISCOVERY DISPUTE**

This matter is before the Court on a discovery dispute. Pursuant to Local Rule 37.1, the Court reviewed briefs submitted by the parties and on September 2, 2015, at 2:00 p.m., the Court held a telephone hearing during which it heard argument from Art Shaffer, counsel to Plaintiff Global Control Systems, Inc. (“GCS”), from Walter Brown, counsel to Defendants Derek Luebbert, Atlas Industrial Solutions LLC, and Midwest Controls LLC (“Midwest”), and from Bill Ford, counsel to Defendant Alliant Techsystems, Inc. The Court now rules as follows.

GCS propounded requests for production on Midwest, which Midwest answered (Doc. 100-2). GCS believes that Brandon Krahenbill (“Krahenbill”), Midwest’s representative, may have more responsive documents on his laptop computer because he performed a deficient search and because he “lost a whole bunch” of emails on that laptop last summer (Doc. 100-3 at 164–65). GCS now wants to hire an independent forensic expert to examine the laptop and retrieve lost files.

Under Federal Rule of Civil Procedure 26(b)(1), the Court overrules Midwest’s objections in part. No later than September 9, 2015, GCS must provide Midwest with additional search terms to be used during a search of Krahenbill’s laptop. Within seven days of when GCS

does so, Midwest must: (1) perform a forensic search of Krahenbill's laptop and recover as many lost or damaged files as possible that are responsive to GCS's requests for production in Doc. 100-2; (2) search the laptop for responsive documents according to the search criteria provided by GCS; and (3) immediately produce these responsive documents to GCS.

The Court extends the dispositive motion deadline to September 24, 2015. This deadline will not be extended absent extraordinary circumstances. All other deadlines remain in full force and effect.

**IT IS SO ORDERED.**

Date: September 4, 2015

/s/ Greg Kays  
GREG KAYS, CHIEF JUDGE  
UNITED STATES DISTRICT COURT